

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JOHN KOVAC,

Supervisee.

No. 15-cr-514 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is now in receipt of the Probation Department's May 26, 2022 Status Update, which indicates that the Supervisee was discharged on May 21, 2022 from his Court-ordered placement in the BASICS inpatient drug treatment program after twice testing positive for Suboxone (an opioid drug for which he does not have a valid prescription), being found in possession of contraband including a hammer and razor blades, and being deemed a safety risk. The conditions of Mr. Kovac's supervised release include "that [he] remain at the BASICS program, [and] that [he] not leave." (Doc. No. 33 at 20–21.) In light of Mr. Kovac's recent discharge, he cannot comply with this condition.

Accordingly, IT IS HEREBY ORDERED THAT Mr. Kovac's conditions of supervised release are temporarily modified, pending his next appearance before the Court, currently scheduled for June 3, 2022 at 3:00 p.m. (*see* Doc. No. 48), to include the following: Mr. Kovac (1) may reside in a hotel or apartment within New York City; (2) must inform the Court and U.S.P.O. Margaret Carroll of the precise location of the hotel or apartment where he will be residing; (3) must strictly abide by a daily curfew that requires him to be in his apartment or hotel room between the hours of 7:00 p.m. and 7:00 a.m.; and (4) must submit to random drug testing, at least weekly, to be arranged by the Probation Department.

The Status Update from Probation also indicates that Mr. Kovac's counsel of record, Ms. Sabrina Shroff, intends to request a further adjournment of the status conference previously adjourned to June 3, 2022 at 3:00 p.m. (*See Doc. No. 48.*) The Court has received no such request and – given Mr. Kovac's recent discharge from the BASICS program – is not inclined to grant an adjournment. Accordingly, IT IS FURTHER ORDERED THAT the parties, their counsel, and U.S.P.O. Margaret Carroll shall appear *in person* before the Court – as scheduled – on June 3, 2022 at 3:00 p.m. Members of the public may monitor the conference via the Court's free audio line by dialing 1-888-363-4749 and using access code 3290725#.

SO ORDERED.

Dated: May 27, 2022
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation